

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

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IN RE: COLUMBIA UNIVERSITY
PATENT LITIGATION

MDL NO. 1592

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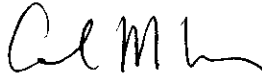
ASSENTED-TO MOTION TO IMPOUND

The undersigned plaintiffs hereby move this Court, pursuant to Local Rule 7.2, to impound (1) Memorandum In Support of Plaintiffs' Motion For Limited Discovery Relevant to the Issue of Non-Statutory Double Patenting and (2) Appendix To Memorandum In Support of Plaintiffs' Motion For Limited Discovery Relevant to the Issue of Non-Statutory Double Patenting.

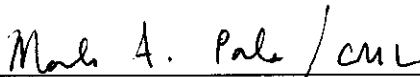
As grounds for this motion, plaintiffs state that these documents contain information from the file history of U.S. Patent Application No. 08/477,159 ("159 application"), to which this Court restricted public access by Order of June 23, 2004 (Court's Docket No. 34). Plaintiffs propose that the impounding Order be lifted upon further order of the Court, and that the papers be kept in the Clerk's nonpublic information file during any post-impoundment period.

Dated: July 16, 2004

Respectfully submitted,

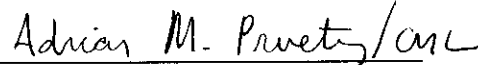


Donald R. Ware (BBO # 516260)
Claire Laporte (BBO # 554979)
Carla Miriam Levy (BBO # 654212)
FOLEY HOAG LLP
155 Seaport Boulevard
Boston, MA 02210-2600
Telephone: (617) 832-1000
Facsimile: (617) 832-7000
Attorneys for BIOGEN IDEC MA INC. and
GENZYME CORPORATION

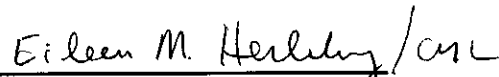


Mark A. Pals, admitted *pro hac vice*
Marcus E. Sernel, admitted *pro hac vice*
KIRKLAND & ELLIS LLP
AON Building
200 East Randolph Drive
Chicago, Illinois 60601
Telephone: (312) 861-2000
Facsimile: (312) 861-2200

Peter E. Gelhaar (BBO #188310)
Michael S. D'Orsi (BBO #566960)
DONNELLY, CONROY & GELHAAR, LLP
One Beacon Street
Boston, Massachusetts 02108
Telephone: (617) 720-2880
Facsimile: (617) 720-3554
Attorneys for ABBOTT BIORESEARCH
CENTER, INC.



Adrian M. Pruetz, admitted *pro hac vice*
Charles K. Verhoeven, admitted *pro hac vice*
Robert W. Stone, admitted *pro hac vice*
QUINN EMANUEL URQUHART OLIVER &
HEDGES, LLP
50 California Street, 22nd Floor
San Francisco, California 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700
Attorneys for GENENTECH, INC.



Eileen M. Herlihy (BBO #231410)
PALMER & DODGE LLP
111 Huntington Ave. at Prudential Center
Boston, MA 02199-7613
Telephone: (617) 239-0100
Facsimile: (617) 227-4400

Arthur Wineburg, admitted *pro hac vice*
PILLSBURY WINTHROP LLP
1133 Connecticut Avenue, N.W.
Washington, D.C. 20036
Direct Phone: 202-775-9880
Telephone: (202) 775-9800
Facsimile: 202-833-8491

Kirke M. Hasson, admitted *pro hac vice*
PILLSBURY WINTHROP LLP
50 Fremont Street
San Francisco, CA 94105-2228
Telephone: (415) 983-1000
Facsimile: (415) 983-1200

Attorneys for IMMUNEX CORPORATION
and AMGEN INC.

Steven A. Zalesin /cml

Steven A. Zalesin, admitted *pro hac vice*
PATTERSON, BELKNAP, WEBB & TYLER LLP
1133 Avenue of the Americas
New York, New York 10036
Telephone: (212) 336-2000
Facsimile: (212) 336-2222
Attorneys for JOHNSON & JOHNSON

Leora Ben-Ami /cml

Leora Ben-Ami, admitted *pro hac vice*
Patricia A. Carson, admitted *pro hac vice*
KAYE SCHOLER LLP
425 Park Avenue
New York, New York 10022
(212) 836-8000

Robert S. Frank, Jr. (BBO #177240)
Eric J. Marandett (BBO #561730)
Paul D. Popeo (BBO #567727)
CHOATE HALL & STEWART
Exchange Place
Boston, MA 02109-2804
Telephone: (617) 248-5000

Attorneys for WYETH and
GENETICS INSTITUTE LLC

Certification of Counsel

Pursuant to Local Rule 7.1(A)(2), the undersigned certifies that counsel for plaintiffs Biogen and Genzyme conferred with counsel for defendant Trustees of Columbia University ("Columbia") on this motion, and that counsel for Columbia assented to the motion.

Carl M. L...

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of July, 2004, I caused a true copy of the above document to be served upon counsel of record for all parties in this action.

Carl M. L...